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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,881	12/17/2001	Yoshihisa Nagashima	Q67742	7280

7590

03/07/2005

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EXAMINER

RIVERO, MINERVA

ART UNIT	PAPER NUMBER
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2655

DATE MAILED: 03/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/015,881

Applicant(s)

NAGASHIMA, YOSHIHISA

Examiner

Minerva Rivero

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/17/2001.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Where applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term “voice recognition” in claims 1-36 is used by the claim to mean “speech recognition”, while the accepted meaning is “voice recognition.” The term is indefinite because the specification does not clearly redefine the term.

The disclosure and claims are objected to because the term “voice recognition” is misused for what nowadays is called --**speech recognition**-- in the speech signal processing art. While “voice recognition” and “speech recognition” were both once used interchangeably to refer to spoken word recognition, nowadays these two terms are distinguished. The term “**voice** recognition” now denotes identification of **who** is doing the speaking (class 704/246), while “**speech** recognition” (or “**word** recognition”)

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denotes identification of **what** is being said (class 704/251). So, appropriate correction to the proper terms of art is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin *et al.* (US 2002/0072917) in view of Marui *et al.* (US 4,961,212), further in view of Martinez *et al.* (US 2002/0118800).

3. Regarding claims 1,3-4, 7, 9-10, 13, 19, 21-22, 25, 27-28, 31 and 33-34, Irvin *et al.* disclose a mobile communications terminal, method and machine-readable medium comprising:

a voice input means for receiving voice of a user designating a target of communication and thereby outputting a voice signal ([0017], Lines 2-4; [0018], Lines 1-7);

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(speech)
a voice recognition means for analyzing and recognizing the voice signal
^
outputted by the voice input means and thereby obtaining voice data, comparing the
obtained voice data with the voice patterns that have been registered in the voice
pattern/telephone directory registration means, and thereby searching for and retrieving
a voice pattern that matches or nearly matches the obtained voice data ([0017], Lines 4-
9);

a memory search processing means for calling up a telephone directory that has
been registered in the voice pattern/telephone directory registration means
corresponding to the voice pattern retrieved by the voice recognition means ([0002],
Lines 3-6 and 10-16; Fig. 1a, element 120; Fig. 1b, element 185; Fig. 2, steps 225 and
280);

the telephone directories include various types of data ([0027]) and

wherein the memory search processing means automatically designates the type
of data to be called up from the various types of data of the telephone directory based
on application activation status of the mobile communications device (*voice-driven e-
mail client program running on mobile communication device*, [0028], Lines 1-10) [User
is able to create a new e-mail message by saying 'new', when an e-mail client program
is active in the mobile communications device.].

However, Irvin *et al.* do not explicitly disclose but Marui *et al.* do disclose

a voice pattern/telephone directory registration means in which telephone
directories to be used for starting communication with a target of communication are

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registered and voice patterns corresponding to the telephone directories are registered (Col. 14, Lines 30-42; Fig. 13).

Therefore it would have been obvious to one ordinarily skilled in the art at the time of the invention to supplement the teachings of Irvin *et al.* with having a voice pattern/telephone directory registration means in which telephone directories to be used for starting communication with a target of communication are registered voice patterns corresponding to the telephone directories are registered, as taught by Marui *et al.*, in order to populate the directory of the user's mobile communications terminal, as is needed to employ the voice-dialing application.

Furthermore, the combined teachings of Irvin *et al.* and Marui *et al.* do not explicitly disclose a data type designation means for designating the type of data to be called up and a data type designation means for letting the user designate the type of data to be called up from the various types of data of the telephone directory.

However it is necessary for the completion of a call to have means for letting the user designate the type of data to be called up in a directory containing various types of data.

Therefore it would have been obvious to one ordinarily skilled in the art at the time of the invention to have a data type designation means for letting the user designate the type of data to be called up from the various types of data of the telephone directory, in order to disambiguate the caller's dialing request in the event of a directory entry having multiple listings each of a different data type.

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4. Regarding claims 2, 8, 14, 20, 26 and 32, Irvin *et al.* further disclose the telephone directory at least includes a telephone number, a mail address and a URL (Uniform Resource Locator) ([0027]).

5. Regarding claims 5, 11, 17, 23, 29 and 35, Irvin *et al.* further disclose a display means for displaying data of the telephone directory called up by the memory search processing means ([0018], Line 14, Fig. 1b, elements 185 and 190).

6. Regarding claims 6, 12, 18, 24, 30 and 36, Irvin *et al.* disclose a communication starting means for automatically starting communication with the target designated by the user by use of data of the telephone directory called up by the memory search processing means ([0019], Lines 31-34; Fig. 2, steps 245 and 280).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schrage (US Patent 6,744,860) discloses voice dialing for telephony devices where the speech recognition is aided by a *voice dialing intelligent peripheral*.

Cha (US Patent 6,788,962) discloses a mobile communications terminal with a voice-dialing mode, and function specific keys enabling particular modes such as e-mail and telecommunications.

Liljestrand *et al.* (US Patent 6,853,714) disclose voice-activated telecommunications services allowing a mobile communications device to exchange multimedia services with various other types of communication devices.

Martinez *et al.* (US 2002/0118800) disclose a telephone system based on speech-recognition, allowing a user to specify a calling destination through natural language.

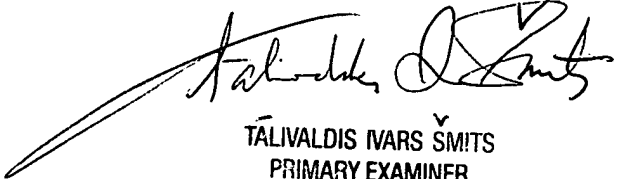
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minerva Rivero whose telephone number is (703) 605-4377. The examiner can normally be reached on Monday-Friday 9:00 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Ivars Smits can be reached on (703) 305-9508. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MR 2/28/2005



TĀLIVALDIS IVARS ŠMITS
PRIMARY EXAMINER